

## BUILDING PERMIT - MISCELLANEOUS INSTRUCTIONS

1. Application for Structure Building Permit
2. Certificate of Occupancy
3. Zoning Code-Section 3: Single Family Dwelling District
4. Zoning Code-Section 10: Additional Height and Area Regulations
5. Resolution No. 279: Establishes Fees for Permits and Licenses

The Application for Structure Building Permit needs to be returned to City Hall with payment of the established fee, preferably 1 week before Planning Commission meeting on the 2nd Wednesday of each month, as the City Clerk needs to get Building Inspector and City Superintendent signatures of approval before the meeting.

Certificate of Occupancy must be signed by Building Inspector or utility service could be disconnected. Please call City Hall (654-2414) for final inspection.

Zoning Codes have been enclosed for your convenience in determining setbacks and distances for additions to current structure, remodeling or the installation of a fence.

Applicant is requested to attend the Planning Commission meeting as the Application does not become a Permit until the Planning Commission has reviewed all paperwork, signed the application and returned to City Hall for issuance of the Permit. Should they have questions, it will expedite the process for the applicant to be available. Governing Body does not need to approve the Permit. **Work cannot begin until signed Permit is received by Applicant.**

CITY OF BURLINGAME  
**APPLICATION FOR STRUCTURE BUILDING PERMIT**

RETURN COMPLETED FORM TO CITY HALL  
1 WEEK BEFORE 2<sup>nd</sup> WEDNESDAY OF THE MONTH.  
(When approved by applicable officials, permit issued by City Clerk)

**Application Date:** \_\_\_\_\_ **Telephone Number:** \_\_\_\_\_

**Property Owner:** \_\_\_\_\_

**Street Address & Legal**

**Description:** \_\_\_\_\_

**Name of Contractor:** \_\_\_\_\_ **Contr.'s City License No.:** \_\_\_\_\_

**ZONING DISTRICT:**    ☐ Single Family       ☐ Multiple Family       ☐ Mobile/Manufactured  
                                 ☐ Commercial       ☐ Industrial

**TYPE OF WORK TO BE DONE:**    ☐ New Structure       ☐ Structure Remodeling  
☐ New Fence       ☐ New Sign       ☐ New Retaining Wall       ☐ Structure Relocation

**TYPE OF STRUCTURE:**   ☐ House       ☐ Garage       ☐ Utility Shed       ☐ Patio/Deck  
☐ Other \_\_\_\_\_

**DETAIL INFORMATION:** No. of Stories \_\_\_\_\_ No. of Rooms \_\_\_\_\_ No. of Baths. \_\_\_\_\_  
Heating \_\_\_\_\_ Cooling \_\_\_\_\_ Exterior Finish \_\_\_\_\_ Basement \_\_\_\_\_

**Project start/finish date:** \_\_\_\_\_ / \_\_\_\_\_ **Project Estimated Cost:** \_\_\_\_\_

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**APPROVED BY:**

Planning Commission Chairman: \_\_\_\_\_ Date: \_\_\_\_\_

Building Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

City Superintendent: \_\_\_\_\_ Date: \_\_\_\_\_

Fire Chief (when required): \_\_\_\_\_ Date: \_\_\_\_\_

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**PERMIT NO.** \_\_\_\_\_

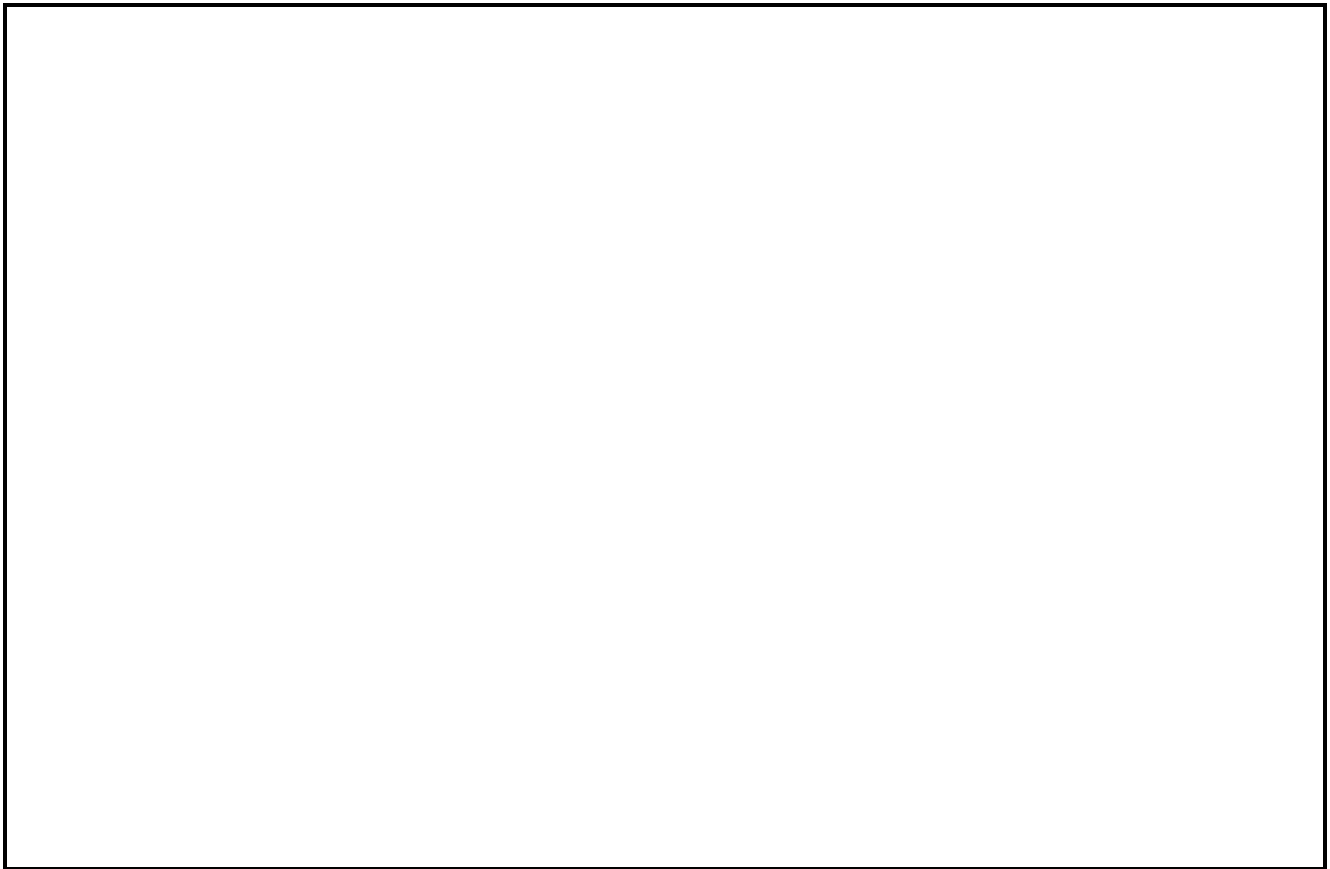
The above application has been approved by the appropriate official and receipt of the fee in the amount of \$\_\_\_\_\_ is acknowledged.

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

(8/1/03) City Code 1997, Section 4-210/4-214; Res.No.279

**BEFORE DIGGING - CALL 1-800-DIG-SAFF (344-7233)**



FOR APPLICATION TO BE CONSIDERED, SHOW THE FOLLOWING INFORMATION IN THE SITE PLAN ABOVE:

1. Northerly Direction and Comer Lot
2. Name of Streets or Avenues and alleyway
3. Length of lot
4. Distance in feet from buildings to the lot line
5. Distance in feet between ALL buildings
6. Dimensions of all structures

Notify City Hall (654-2414) when inspections are needed for layout of building, foundations and footings, electrical wiring, gas connections, water connections and/or sewer connections.

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Applicant Signature

## Certificate of Occupancy

Property Owner: \_\_\_\_\_

Street Address & Legal Description \_\_\_\_\_

Telephone Number \_\_\_\_\_

Type of Construction \_\_\_\_\_

Final Inspection Date \_\_\_\_\_

Comments \_\_\_\_\_

\_\_\_\_\_  
Building Inspector

**Notify City Hall (654-2414) for a final inspection which must be completed by Building Inspector before utility services can be connected on new construction. If the project is remodeling, utility service could be disconnected if final inspection is not completed.**

## SECTION 3

### "R" SINGLE FAMILY DWELLING DISTRICT

The regulations set forth in this section or set forth elsewhere in this Ordinance when referred to in this section, are the District Regulations in the "R" Single Family Dwelling District.

1. Use Regulation: Any building or premises shall be used only for the following purposes:
  - (a) Single family dwellings.
  - (b) Parks, playgrounds, and community buildings owned or operated by a public agency.
  - (c) Public schools, elementary and high, or private schools having a curriculum equivalent to a public elementary school or public high school and having no rooms regularly used for housing or sleeping purposes.
  - (d) Churches, but any church that is on a new site shall provide off-street parking space upon the lot or within two hundred (200) feet thereof which space is adequate to accommodate one (1) car for every ten (10) persons for which seating is provided in the main auditorium of the church exclusive of the seating capacity of Sunday School and other special rooms.
  - (e) Accessory buildings and accessory uses, customarily incident to the above uses (not involving the conduct of a business) including a private garage, the use of a lot or portion thereof for a vegetable or flower garden, but not on a commercial basis for resale or wholesale. Any storage or accessory building larger than one hundred twenty (120) square feet must be compatible with main structure and neighborhood in design, construction material, and size. An accessory building that is not a part of the main structure shall be located not less than twenty five (25) feet from the front lot line or not less than ten (10) feet from the front of the main structure when an existing structure has a fifteen (15) foot setback. Accessory uses shall also include church or public building, bulletin boards and temporary signs pertaining to the lease, hire or sale of a building or premises not exceeding ten (10) square feet in area.
  - (f) Moved-in buildings, provided, however, that said buildings shall conform to all the provisions of this ordinance together with fire, safety and health regulations and all other pertinent ordinances of the

City of Burlingame, Kansas, and the laws of the State of Kansas, and said moved-in buildings shall conform with the neighboring property to the extent that said buildings shall not devalue surrounding property. The determination as to whether or not said moved in buildings devalue surrounding property shall be determined by the Board of Zoning Appeals.

- (g) Such other use as the Governing Body of the City of Burlingame may in its discretion authorize either by a special temporary permit not exceeding one year; or a special permit for a specific purpose after conducting a public hearing thereon with due notice, thereof by publication in the official city paper at least one week prior thereto.
2. Height Regulation: No building shall exceed two (2) stories above ground level nor shall it exceed thirty-five (35) feet in height from ground level to its highest point.
3. Area Regulation:
- (a) There shall be a front yard having a depth of not less than fifteen (15) feet. Where lots have a double frontage the required front yard shall be provided on both streets. Where a lot is located at the intersection of two or more streets there shall be a front yard on each street side of a corner lot; provided, however, that the buildable width of a lot of record at the time of passage of this Ordinance need not be reduced to less than thirty-five (35) feet; except where necessary to provide a yard along the side street with a depth of not less than five (5) feet. No accessory building shall project beyond the front yard line on either street.
  - (b) There shall be a side yard on each side of a building having a width of not less than eight (8) feet; except as may be otherwise provided herein wherever a lot of record existing at the time of the passage of the Ordinance has a width of fifty (50) feet or less, the side yard on each side of a building may be reduced to a width of not less than 10% of the width of the lot, but in no instance shall it be less than three (3) feet.
  - (c) Except as herein otherwise provided there shall be a rear yard having a depth of not less than thirty (30) feet; provided further, however, that in those situations in which a corner lot, as platted, is

included in the tract of land on which the single family dwelling or other permissible building is to be located, there shall be a rear yard of not less than six (6) feet in depth.

- (d) Every lot or tract of land shall have an area of not less than seventy-five hundred (7500) square feet.

**4. Parking Space Regulations:**

- (a) Every lot or tract of land which is the site of a dwelling unit shall have an off-street parking space of two hundred (200) square feet.
- (b) Every church, school building, or other auditorium shall have one parking space for every ten (10) seats, which parking space shall be within one thousand (1,000) feet of said building.

## SECTION 10

### ADDITIONAL HEIGHT AND AREA REGULATIONS

The district regulations hereinafter set forth in this section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Ordinance.

Public, semi-public or public service buildings, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, and churches and temples may be erected to a height not exceeding seventy-five (75) feet if the building is set back from each yard line at least one (1) foot for each two (2) feet of additional building height above the height limit otherwise provided in the district in which the building is located.

Chimneys, cooling towers, elevator bulkheads, fire towers, grain elevators, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers, and spires, church steeples, wireless towers or necessary mechanical appurtenances, may be erected to a height in accordance with existing or hereafter adopted Ordinances of the City of Burlingame, Kansas.

Accessory buildings may be built in a rear yard but such accessory buildings shall not be nearer than two (2) feet to any side or rear lot line, except that when a garage is entered from an alley it shall not be located closer than ten (10) feet to the alley line.

No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used for dwelling purposes, except by special permission for a limited time while construction of main building.

Every part of a required yard shall be open to the sky, unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of sills, belt courses, cornices, and ornamental features projecting not to exceed twelve (12) inches.

Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into the rear yard may be permitted by the Building Inspector for a distance of not more than three and one half (3 1/2) feet and where the same are so placed as not to obstruct light and ventilation.

An open unenclosed porch or paved terrace may project into a front yard for a distance not exceeding ten (10) feet. Terraces, uncovered porches, platforms and ornamental features



which do not extend more than three (3) feet above the floor level of the ground (first) story may project into a required yard, provided these projections be distant at least two ( 2) feet from the adjacent side lot line.

For the purpose of the side yard regulations, a two-family dwelling, or a multiple-dwelling, shall be considered as one building occupying one lot.

Temporary buildings that are used in conjunction with construction work only may be permitted in any district during the period that the building is being constructed, but such temporary building shall be removed upon completion of the construction work.

Where a lot or tract is used for a nonresidential purpose, more than one main building may be located upon the lot or tract, but only when such buildings conform to all open space requirements around the lot for the district in which the lot or tract is located.

No side yards are required where dwelling units are erected above commercial and industrial structures.

Buildings that are to be used for storage purposes only may exceed the maximum number of stories that are permitted in the district in which they are located, but such buildings shall not exceed the number of feet of building height permitted in such districts.

The front yards heretofore established shall be adjusted in the following cases:

1. Where forty (40) percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have observed (with a variation of five feet or less) a front yard greater in depth than herein required, the new buildings shall not be erected closer to the street than the front yard so established by the existing buildings.
2. Where forty (40) percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have not observed a front yard as described above, then:
  - (a) Where a building is to be erected on a parcel of land that is within one hundred (100) feet of existing buildings on both sides, the minimum front yard shall be a line drawn between the two closest front comers of the adjacent buildings on the two sides, or

- (b) Where a building is to be erected on a parcel of land that is within one hundred (100) feet of an existing building on one side only, such building may be erected as close to the street as the existing adjacent building.
- 3. Where a building cannot be erected as close to the street as is allowed by the district regulations because of the provisions of paragraphs 1 and 2 above, the City Council upon petition signed by at least one property owner in the block affected and after report upon the same by the City Planning Commission, may establish a front yard line for the block affected as close to the street as allowed by the district regulations for that block.

Except as otherwise specifically provided for the City of Burlingame, Kansas, the following regulations shall apply to the construction offences:

- 1. No fence of a height greater than three (3) feet, except wire fences and other fences in which the openings between the materials of which the fence is constructed represent more than seventy (70) percent of the total fence area, shall be constructed closer to the street than the front building line established for the district in which such fence is to be erected. Except in other yard areas it may exceed three (3) feet but not more than six and one-half (6 1/2) feet.
- 2. No fence shall be constructed which will constitute a traffic hazard and no permit shall be granted for the construction of a fence unless the City Building Inspector has certified such design as not to be hazardous or dangerous to persons or animals.
- 3. No person shall erect or maintain any fence which will adversely affect the public health, safety and welfare of adjacent property.
- 4. Fences constructed upon public or parochial school grounds or in public parks and in public playgrounds, may be constructed of a height greater than three (3) feet but less than six and one-half (6 1/2) feet; provided, however, that the Governing Body of the City of Burlingame, Kansas, may, by special permit, authorize the construction of a fence higher than six and one-half (6 1/2) feet, if the construction thereof has been recommended and approved by the City Planning Commission.
- 5. All fences shall conform to the provisions of the building code of the City of Burlingame, Kansas.

6. When in the Building Inspector's judgment, the public health, safety and welfare will be substantially served and the adjacent property will not be damaged, the Building Inspector may vary the requirements, with respect to the construction offences as provided for herein.
7. On a corner lot in any residential district, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision inside the defined vision clearance area (see definitions). The vision clearance area shall consist of a triangle bounded by the street lines of such corner lots and a line joining points fifty (50) feet from the point of the street centerline intersection.

## RESOLUTION NO. 279

**WHEREAS**, the City Council has by Ordinance Nos. 1824 and 1990 adopted as part of the Code for the City of Burlingame, provisions for building and demolition permits and licensing requirements of various vocations and technicians; and

**WHEREAS**, the Code provides for fees to be set by the Governing Body for the various permits and licenses;

**NOW, THEREFORE, BE IT RESOLVED** that the following fees shall be assessed for the required permits and licenses pursuant to Chapter IV Buildings and Construction, Code of the City of Burlingame, Kansas:

**Permit Fees:**

Building permit:	3% of estimated project cost with maximum fee of \$150.00
Demolition permit:	\$30.00 per structure; proof of liability insurance if done by other than landowner Small accessory structures-No Charge

Electrical permit:	\$10.00
Plumbing permit:	\$10.00
Housemoving permit:	\$10.00 + Such fees as required by The Application

**Annual License Fees:**

Electrical license fee:	
First year	\$50.00
Renewal	\$25.00
Plumbing license fee:	
First year	\$50.00
Renewal	\$25.00
Fee for combining plumbing and electrical license:	
First year	\$75.00
Renewal	\$50.00

If the license is not renewed each year, then before a license is issued, the fee for an original license shall be charged.

The permit and license fees set by Resolution 272 are hereby repealed.

**PASSED AND APPROVED this** 21st day of July, 2003.

Raymond L. Hovestadt, Mayor

ATTEST

Cheryl D. Holloway, City Clerk